



Declaration and Power of Attorney For Patent Application

As a below named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am an original, first and sole/joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled **Process and plant for producing a krypton/xenon mixture from air**, the specification of which

- ☐ is attached hereto
or
☒ was filed on November 20, 2003 as

Application Number 10/717,811

and was amended on _____
(if applicable)

PCT FILED APPLICATION ENTERING NATIONAL STAGE

- ☐ was described and claimed in International Application No. _____,
filed on _____
and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations § 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

PRIORITY CLAIM

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s):

| | | | <u>Priority Claimed</u> | |
|---|--|---|--|--------------------------------|
| <u>02 14742</u> (Number) | <u>FRANCE</u> (Country) | <u>25/11/2002</u> (Day/Month/Year Filed) | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| <u> </u> (Number) | <u> </u> (Country) | <u> </u> (Day/Month/Year Filed) | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| <u> </u> (Number) | <u> </u> (Country) | <u> </u> (Day/Month/Year Filed) | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below.

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

| | | |
|---|--|---|
| <u> </u> (Application Serial No.) | <u> </u> (Filing Date) | <u> </u> (Status) (patented, pending, abandon) |
| <u> </u> (Application Serial No.) | <u> </u> (Filing Date) | <u> </u> (Status) (patented, pending, abandon) |


I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

LINDA K. RUSSELL, REG. NO. 34,918 CHRISTOPHER J. CRONIN, REG. NO. 46,513

Send Correspondence to: **Air Liquide**
Intellectual Property Department
2700 Post Oak Blvd, Ste. 1800
Houston, TX 77056

Direct Telephone Calls to: **LINDA K. RUSSELL, Reg. No. 34,918, (713) 624-8956**

| | |
|---|-------------------------------|
| Full name of sole or first joint inventor, FUENTES François | |
| First inventor's signature  | Date: November 12, 2003 |
| Residence LE VESINET, France | Citizenship: FRENCH |
| Post Office Address 21 avenue Maurice Berteaux, 78110 LE VESINET (France) | |
| Full name of second joint inventor, if any | |
| Inventor's signature | Date: |
| Residence | Citizenship: |
| Post Office Address | |
| Full name of third joint inventor, if any | |
| Inventor's signature | Date: |
| Residence | Citizenship: |
| Post Office Address | |
| Full name of fourth joint inventor, if any | |
| Inventor's signature | Date: |
| Residence | Citizenship: |
| Post Office Address | |
| Full name of fifth joint inventor, if any | |
| Inventor's signature | Date: |
| Residence | Citizenship: |
| Post Office Address | |

MAR 29 2004

PATENTS ONLY

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

François FUENTES

2. Name and address of receiving party(ies):

Name: **L'Air Liquide, Société Anonyme à
Directoire et Conseil de Surveillance
pour l'Étude et l'Exploitation des
Procédés Georges Claude**
Internal Address: **75 Quai d'Orsay**
Street Address: **75 Quai d'Orsay**
City: **75321 Paris** State: **Cedex 07**
Country: **France**

Additional name(s) of conveying party(ies) attached? Yes ☐ No

3. Nature of Conveyance:

☒ Assignment Merger
Security Agreement Change of Name
Other

Execution Date: **November 12, 2003**Additional name(s) & address(es) attached? Yes ☐ No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: n/a

A. Patent Application No.(s):
10/717,811, filed November 20, 2003

B. Patent No.(s):

Additional numbers attached? Yes ☐ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: **Linda K. Russell**
Internal Address: **2700 Post Oak Blvd., Ste. 1800**
Street Address: **2700 Post Oak Blvd., Ste. 1800**
City: **Houston** State: **TX** Zip: **77056**

Total number of applications and patents involved: **1**7. Total fee (37 C.F.R. § 3.41) **\$40.00**

Enclosed

☒ Authorized to be charged to deposit account

8. Deposit account number:

01-1375

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Linda K. Russell, Reg. No. 34,918
Name of Person Signing


Signature

March 24, 2004
Date

Total number of pages including cover sheet, attachments and documents: **2**

Assignment of Invention

WHEREAS, I, **François FUENTES** of 21 avenue Maurice Berteaux, 78110 LE VESINET (France) has invented certain new and useful improvements in: **Process and plant for producing a krypton/xenon mixture from air** for which: (a) an application for Letters Patent was filed on Nov. 20, 2003, having Application No. 10/717,811; or (b) for which an application for a United States patent was executed on _____, and

WHEREAS, **L'Air Liquide Société Anonyme à Directoire et Conseil de Surveillance Pour l'Étude et l'Exploitation des Procédés Georges Claude** (hereinafter referred to as "ASSIGNEE") having a place of business at: 75 Quai d'Orsay, 75321 PARIS Cedex 07, FRANCE, desires to acquire the entire right, title and interest in and to said invention, and in and to any Letters Patent that may be granted thereof in the United States and its territorial possessions;

NOW, THEREFORE, for valuable consideration, the receipt whereof is hereby acknowledged, I by these presents do sell, assign and transfer unto said ASSIGNEE, effective as of the first priority date, the full and exclusive right to the said invention in the United States and its territorial possessions, and the entire right, title and interest in and to any and all Letters Patent which may be granted therefore in the United States and its territorial possessions, and in and to any and all divisions, reissues, continuations, substitutions and renewals thereof.

I hereby authorize and request the Patent Office Officials in the United States and its territorial possessions, to issue any and all of said Letters Patent, when granted, to said ASSIGNEE as the assignee of our entire right, title and interest in and to the same, for the sole use and behoof of said ASSIGNEE, its successors and assigns, to the full end of the term for which said Letters Patent may be granted, as fully and entirely as the same would have been held by me had this Assignment and sale not been made.

Further, I agree that I will communicate to said ASSIGNEE or its representatives any facts known to us respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuation, substitute, renewal and reissue applications, execute all necessary assignment papers to cause any and all of said Letters Patent to be issued to said ASSIGNEE, make all rightful oaths, and, generally do everything possible to aid said ASSIGNEE, its successors and assigns, to obtain and enforce proper protection for said invention in the United States and its territorial possessions.

The undersigned hereby grant(s) authorized representatives of the above identified ASSIGNEE(S) the power to insert on this assignment any further identification which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document.

Date: November 12, 2003



François FUENTES, (Inventor)